

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
 US Department of Commerce
 United States Patent and Trademark
 Office, PCT
 2011 South Clark Place Room
 CP2/5C24
 Arlington, VA 22202
 ETATS-UNIS D'AMERIQUE
 in its capacity as elected Office

Date of mailing (day/month/year) 23 February 2001 (23.02.01)	
International application No. PCT/US00/16914	Applicant's or agent's file reference 7629/3J
International filing date (day/month/year) 20 June 2000 (20.06.00)	Priority date (day/month/year) 21 June 1999 (21.06.99)
Applicant BEIMESCH, Wayne, Edward et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
 27 December 2000 (27.12.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer R. E. Stoffel Telephone No.: (41-22) 338.83.38
---	---

PATENT COOPERATION TREATY

PCT

REC'D 25 JUL 2001

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

164



Applicant's or agent's file reference 7629/3J		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/16914	International filing date (day/month/year) 20/06/2000	Priority date (day/month/year) 21/06/1999	
International Patent Classification (IPC) or national classification and IPC C11D11/00			
Applicant THE PROCTER & GAMBLE COMPANY et al.			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
 - ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 27/12/2000	Date of completion of this report 23.07.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Schambeck, W Telephone No. +49 89 2399 2135 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/16914

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-16 as originally filed

Claims, No.:

1-11 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/16914

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	3-11
	No:	Claims	1, 2
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-11
Industrial applicability (IA)	Yes:	Claims	1-11
	No:	Claims	

2. Citations and explanations
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US00/16914

The negative statements with regard to novelty and inventive step rely on the following prior art document; attention is in particular drawn to the passages given in parentheses:

- (1) US-A-4 726 908 (column 1, lines 37 to 61; column 3, lines 2 to 21; example 1)

As apparent from document (1), the concept of making granular detergent compositions having a narrow particle size distribution by agglomerating detergent components in a fluidized bed granulator, sizing the agglomerates thus obtained to separate oversized particles and subsequently recycling those particles formed part of the state of the art at the priority date of the application under examination.

The inventions defined by claims 1 to 11 are considered obvious because they appear to merely concretise or supplement the prior art concept by

- (i) introducing restrictions defined so broadly that it does not appear plausible that (all embodiments of) the generic teaching defined by those restrictions should ensure the achievement of a desirable technical result not to be expected by a person skilled in the art and derivable from the application as filed and/or
- (ii) adding technical information rendered obvious by the common general knowledge in the detergents field.

As far as the inventions defined by claims 1 and 2 are concerned, the disclosure of document (1) is considered to be even novelty-destroying.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 7629/3J	FOR FURTHER ACTION		see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. PCT/US 00/ 16914	International filing date (day/month/year) 20/06/2000	(Earliest) Priority Date (day/month/year) 21/06/1999	
Applicant THE PROCTER & GAMBLE COMPANY et al.			

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of Invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No.

PCT/US 00/16914

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C11D11/00 C11D17/06

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C11D B29B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4 726 908 A (KRUSE HANS ET AL) 23 February 1988 (1988-02-23)	1,3,4
A	claims examples column 3, line 58 -column 4, line 17	6,9-11
A	US 5 779 945 A (NIJSTEN PIETER J B ET AL) 14 July 1998 (1998-07-14)	1-4,9-11
	abstract claims 1-4,7-11 examples column 2, line 66 -column 3, line 44	
A	US 5 861 179 A (HISKETT SIMON PHILIP ET AL) 19 January 1999 (1999-01-19)	1,2,5, 7-11
	column 1, line 66 -column 3, line 67 --- -/--	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

2 October 2000

Date of mailing of the international search report

09/10/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.
Fax: (+31-70) 340-3016

Authorized officer

Neys, P

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/16914

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>US 4 797 271 A (FLEMING HUBERT L ET AL) 10 January 1989 (1989-01-10) figure 1 column 2, line 23 -column 3, line 51 -----</p>	<p>1,3,4,9, 10</p>

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/16914

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 4726908	A	23-02-1988	DE 3504628 A AT 46095 T DE 3665415 D EP 0191396 A ES 551854 D ES 8702163 A JP 61185327 A	14-08-1986 15-09-1989 12-10-1989 20-08-1986 01-01-1987 16-03-1987 19-08-1986
US 5779945	A	14-07-1998	NL 1002862 C CA 2202581 A CN 1167650 A	17-10-1997 15-10-1997 17-12-1997
US 5861179	A	19-01-1999	AU 696406 B AU 4121196 A BR 9509975 A CA 2207284 A CN 1174505 A CZ 9701717 A EP 0797441 A FI 972434 A WO 9617611 A HU 77367 A JP 2977284 B JP 10510255 T NO 972623 A NZ 296573 A PL 320560 A	10-09-1998 26-06-1996 09-06-1998 13-06-1996 25-02-1998 12-11-1997 01-10-1997 09-06-1997 13-06-1996 30-03-1998 15-11-1999 06-10-1998 06-08-1997 22-08-1997 13-10-1997
US 4797271	A	10-01-1989	US 4704378 A	03-11-1987